



Testimony of Diego G. Rodriguez
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Good morning, Chairman Davis, Ranking Member Waxman, and members of the Committee. I appreciate the opportunity to testify before you today about the FBI's efforts to combat Mara Salvatrucha or "MS-13" and other gangs in the Washington, DC metropolitan area (WDCMA). Gangs and other criminal enterprises, operating in the U.S. and throughout the world, pose increasing concerns for the international law enforcement and intelligence communities. Today, gangs are more violent, more organized and more widespread than ever before. They pose one of the greatest threats to the safety and security of all Americans. The Department of Justice estimates there are approximately 30,000 gangs, with 800,000 members, impacting 2,500 communities across the U.S. The innocent people in these communities face daily exposure to violence from criminal gangs trafficking in drugs and weapons, and gangs fighting amongst themselves to control or extend their turf and their various criminal enterprises.

Gangs from California, particularly in the Los Angeles area, have a major influence on Mexican-American and Central American gangs in this country and in Latin America. Hispanic gangs in California have separated into two rival factions, the Norteños, which are primarily

found in Northern California, and the Sureños, found to the south and predominantly in the urban areas surrounding Los Angeles. A rivalry exists between these factions, which had its genesis within the California Department of Corrections during the 1960's, when the Nuestra Familia (Norteños) prison gang formed to oppose the Mexican Mafia (Sureños) prison gang. Today, the Mexican Mafia, and other Hispanic prison gangs, such as the La EME in southern California, the Texas Syndicate (T/S, Sindicato Tejano), and the Mexikanemi (EMI, Texas Mexican Mafia), remain powerful both in prison and on the street, and most Hispanic gangs in California align themselves under the Norteños or the Sureños. Hispanic gangs aligned under the Norteños will generally add the number 14 after their gang name, while gangs aligned under the Sureños will generally add the number 13 (*e.g.*, MS-13).

MS-13 has gained notoriety for its flexibility and willingness to participate in any type of criminal activity at any time. Expansion of the gang across the United States and throughout other countries has permitted MS-13 to participate in varying levels of criminal activity depending on the jurisdiction and number of members in that area. Although the level of sophistication in criminal activity varies, MS-13 factions in every location are traditionally violent. An increase in the effort to eliminate MS-13, as well as further pressure by Los Angeles cliques to develop criminally, could create more backlash against law enforcement and increase violence from MS-13. Based upon available intelligence obtained through our law enforcement partners, it appears that the MS-13 in the United States is still a loosely structured street gang; however, its threat is based on its violence and its potential to grow, not only geographically, but in its organization and sophistication. There is no evidence to support the existence of a single leader or governing authority which is directing the daily activity of all MS-13 cliques in the United States. However, regional cliques coordinate their activities, and regional leaders from

Los Angeles and El Salvador exercise influence over activities in other regions, including in Northern Virginia. Each clique will have a local leader called the “shot caller” who coordinates the clique’s activities and issues punishments and/or sanctions for infractions of the gang’s code. Law enforcement throughout the U.S. has reported MS-13 members are engaged in retail drug trafficking, primarily trafficking in powdered cocaine, crack cocaine and marijuana, and, to a lesser extent, in methamphetamine and heroin. MS-13 members are also involved in a variety of other types of criminal activity, including rape, murder, extortion, auto theft, alien smuggling, and robbery.

The migration of MS-13 members and other Hispanic street gang members, such as the 18th Street gang, from Southern California, to other regions of this country, has led to a rapid proliferation of these gangs in many smaller, suburban and rural areas not accustomed to gang activity and related crimes, such as in the communities within Northern Virginia. The geographical area covered the FBI Washington Field Office’s jurisdiction includes Washington, DC and areas referred to as Northern Virginia. Northern Virginia includes Arlington County, Fairfax County, Loudoun County, Prince William County, and Fauquier County, as well as the Quantico Marine Base and the cities and townships of Alexandria, Fairfax, Falls Church, Vienna and Herndon.

In recent years, MS-13 has not only grown in membership and presence in WDCMA communities, but attracts greater media attention by committing random and, many times, violent acts. Strategic analysis of case information, intelligence data, and law enforcement findings has led to the following observations of MS-13 activity in our area:

- MS-13 in the WDCMA has not developed a level of sophisticated criminal activity and organization equal to that in Los Angeles, California and Central America. Impeding

further expansion of MS-13 membership will require continued, proactive law enforcement efforts.

- Due to the violent history of MS-13, its coverage across the nation, and the gang's willingness to participate in a variety of criminal activity, law enforcement has increased efforts to combat the gang in the WDCMA. Since 2000, a pattern of brutal attacks, including the killing of suspected rival gang members by MS-13 members in Northern Virginia, indicates that MS-13 has become the region's most violent gang. Threats against law enforcement are more likely to occur as initiatives against the gang are exercised and MS-13 continues to gain attention from the media and the local community.
- Leadership from Los Angeles and El Salvador are believed to visit the WDCMA to organize cliques and coordinate a defined criminal network, which may initiate a gradual shift in priorities and types of criminal activity committed. It is currently unclear whether their presence is to coordinate criminal activity or simply to associate with other MS-13 members in this area.
- Ironically, media exposure could strengthen the gang's resolve and further establish this region as MS-13 territory. In an effort to increase their exposure, gang members may continue to engage in criminal activity as long as their involvement is heavily publicized in the local media, which could encourage other gangs to heighten criminal acts in an effort to compete for exposure and territory.

MS-13 is regarded as one of the most notorious and fastest growing street gangs in the region, although local cliques do not operate under a traditional hierarchy that mirrors most gangs. To date, law enforcement data indicates varying levels of organization and leadership

among cliques within the WDCMA. An exact number of MS-13 members and cliques for the WDCMA is difficult to achieve given the mobility of the members, the addition of new cliques, deportation and frequent re-entry of members, and the merger of cliques due to low membership numbers or law enforcement crackdown against a given clique. Although members are aligned with individual cliques, derived from individuals at the same school or in the same neighborhoods, gang members regularly interact, socialize, and engage in criminal acts with members outside their clique. Therefore, law enforcement must continually assess whether the dismantlement of a particular clique in fact disrupts its members' ability to engage in criminal activity.

Although law enforcement's continued use of suppression tactics have been effective in reducing the criminal threat of MS-13, recruitment efforts by gang members in the WDCMA have intensified in recent years. Local neighborhoods, prisons, the Internet, and area schools have been targeted as recruitment hot spots for MS-13. The increasing use of local schools to recruit new members is of concern and could increase violence in schools as youth are initiated into gangs and see rival gang members in their classes on a daily basis. Gang members exploit local middle and high schools for recruitment because they can often avoid arrest by allowing gang members under the age of eighteen to recruit around schools.

Since 2004, the FBI Washington Field Office has been a participating member of the Northern Virginia Regional Gang Task Force. This task force, consisting of over thirteen local, state, and federal law enforcement agencies having the most direct impact on violent gangs and other criminal enterprises, was established to forge alliances and "force multiply" task force investigations, and has already experienced great success. The task force is engaged in tactical operations and uses state gang participation statutes in an effort to suppress criminal activities

associated with gangs. The enterprise theory of investigation is used to identify criminal offenses which may serve as predicate acts to support federal Racketeer Influenced and Corrupt Organizations (RICO) and Violent Crimes in Aid of Racketeering (VICAR) prosecutions. To date, joint investigations with these participating agencies have resulted in successful federal prosecutions of MS-13 gang members for the murder of a federal witness and a rival gang member. In each case, the gang members responsible for these violent acts were successfully convicted of their crimes and sentenced to Life Without the Possibility of Release.

In addition to our participation in the Northern Virginia Regional Gang Task Force, the FBI has played a leading role in addressing the larger gang problem. To address the threat gangs pose on a local, regional, national and even international level, the FBI established a National Gang Strategy to identify the gangs posing the greatest danger to American communities, to combine and coordinate the efforts of local, state and federal law enforcement in Safe Streets Violent Gang Task Forces (SSVGTF) throughout the U.S., and to utilize the same statutes and intelligence and investigative techniques previously used against organized crime against violent gangs. MS-13 is one of the gangs being addressed by the FBI and its law enforcement partners under the National Gang Strategy.

Just as it is difficult to gauge the exact number of MS-13 members in the WDCMA, the standard reporting criteria for the identification of gang members, the frequent use of aliases by gang members, and the transient nature of gang members, makes it difficult to determine the actual number of MS-13 members in the United States. However, the National Drug Intelligence Center estimates there to be between 8,000 and 10,000 hardcore members in MS-13. In response to the growing threat from gangs, the FBI has raised the priority of gang intelligence and investigative efforts by increasing the number of SSVGTFs. Additionally, the FBI has

established a National Gang Intelligence Center (NGIC) and the MS-13 National Gang Task Force to coordinate and share intelligence regarding violent gangs.

The NGIC enables the FBI and its local, state, and federal partners to centralize and coordinate the national collection of intelligence on gangs in the U.S., and then analyze, share and disseminate this intelligence with law enforcement authorities throughout the country. The NGIC provides local, state and federal investigators and intelligence analysts the opportunity and mechanism to share their collective information and intelligence on gangs. This enables gang investigators and analysts to identify links between gangs and gang investigations, to further identify gangs and gang members, to learn the full scope of their criminal activities and enterprises, to determine which gangs pose the greatest threat to the U.S., to identify trends in gang activity and migration, and to guide them in coordinating their investigations and prosecutions to disrupt and dismantle gangs. The NGIC has become an essential part of our efforts to combat and dismantle gangs and will enhance the existing liaison and coordination efforts of federal, state, and local agencies.

Given the extreme violence exhibited by MS-13 and its potential threat, based on the historical precedent of other similar gangs and organized criminal organizations, the FBI established the MS-13 National Gang Task Force to disrupt and dismantle this gang, now, before it has the opportunity to become more organized and sophisticated and more difficult to attack. The goals of the MS-13 National Gang Task Force are to enable local, state, and federal, as well as international law enforcement agencies to easily exchange information on MS-13; to enable local and state law enforcement agencies to identify the presence of MS-13 in their territories; to identify related investigations; and to coordinate regional and/or nationwide, multi-jurisdictional law

enforcement action, including federal RICO and VICAR prosecutions.

We also note the significant contributions of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the Drug Enforcement Administration (DEA), the Bureau of Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) in the effort to combat violent gangs. Due to ATF's comprehensive efforts to identify and investigate illegal firearms traffickers, career criminals, armed narcotics traffickers and other violent offenders who use firearms to further their criminal endeavors, ATF has for years been at the forefront of the federal government's efforts to combat violent crime involving gangs. The DEA plays a vital role in identifying and targeting gang members involved in drug trafficking in our nation's communities. The intelligence derived and shared from DEA's investigations is critical to the collective Federal effort to combat the illicit gang activities and associated violence. ICE's proactive approach to the identification and removal of illegal gang members from the United States continues to have a strong impact towards disrupting their criminal organizations and leadership structure. Preventing gang members from entering the United States is also critical to addressing the gang violence issue. By stopping gang members from entering the United States between ports of entry, CBP makes an effective contribution to deterring gang violence. Our collective efforts, in collaboration with our state and local partners, are the key to fighting the gang problem.

Once again, I appreciate the opportunity to come before you today and share the work that the FBI is doing to address the problem posed by MS-13 and similar gangs. The FBI will continue its efforts, and we will keep this Committee informed of our progress in protecting this Nation's citizens against gangs and other criminal enterprises, particularly those with national and international implications. Mr. Chairman and Members of the Committee – thank you for

your time and for your continued support of the FBI's efforts to combat gangs. I am happy to answer any questions.